



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/813,368	03/30/2004	William Thomas Hatfield	140283-1/YOD GERD:0105	4692
7590 10/06/2005			EXAMINER	
Patrick S. Yoder FLETCHER YODER P.O. Box 692289 Houston, TX 77269-2289			GOINS, DAVETTA WOODS	
			ART UNIT	PAPER NUMBER
			2632	

DATE MAILED: 10/06/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/813,368

Applicant(s)

HATFIELD ET AL.

Examiner

Davetta W. Goins

Art Unit

2632

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-35 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3/30/04</u> . | 6) <input type="checkbox"/> Other: ____. |

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 4, 5, 7-10, 12, 15, 17-22, 24, 26-29, 33 and 34 are rejected under 35 U.S.C. 102(b) as being anticipated by Lange et al. (US Pat. 5,182,432).

In reference to claim 1, 4, 8-10, 12, 17-22, 24, 26-29, 33, 34, Lange discloses a) the claimed lamp assembly comprising a housing and a lamp disposed in the housing, a lens disposed adjacent to the lamp, which is met by a motor vehicle headlight having an enclosing light transmissive shield B (lens) (col. 1, lines 62-68), b) the claimed lens comprising a conductor adapted to lose electrical continuity upon occurrence of a crack in the lens, which is met by at least one electrically conductive heating element H arranged “in or on” the light-transmissive shield B (lens) (col. 1, lines 62-68; Figure 1), and c) the claimed monitoring system coupled to the conductor and configured to detect the loss of electrical continuity in the conductor, which is met by analyzing apparatus A for monitoring the heating element H to determine whether it’s broken (col. 2, lines 27-35; col. 3, lines 3-26).

In reference to claims 5, 15, 25, 32, Lange discloses the claimed conductive wire, which is met by at least one electrically conductive heating element H (col. 1, lines 63-68).

Art Unit: 2632

In reference to claim 7, Lange discloses the claimed conductor is embedded in the lens, which is met by electrically conductive heating element H arranged “in” or on the light-transmissive shield B (col. 1, lines 62-68).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 2, 3, 13, 14, 30 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lange et al.

In reference to claims 2, 3, 13, 14, 30, 31, although Lange does not specifically disclose the claimed lens comprising glass or polymeric material, he does disclose a headlight including a light-transmissive shield B (lens) that includes an attached conductive element for monitoring a crack within the shield B (col. 1, lines 63-68). Since it is well known in the art to use either glass or some form of plastic material such as polymeric for manufacturing vehicle lamps, it would have been obvious to one of ordinary skill in the art at the time of the invention to use either glass or polymeric as a material for the lens or any material that deems proper for allowing light to transmit through the vehicle light housing.

Art Unit: 2632

5. Claims 6, 11, 16, 23 and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lange et al. in view of Jessup (US Pat. 6,794,882 B2).

In reference to claims 6, 16, Lange does not disclose the claimed conductor comprising a decal configured to be disposed on a surface of the lens. Jessup discloses a rupture detector used for a windshield of a vehicle. Specifically, a windshield assembly 12 includes at least one transparent member 14 forming a strip or band of conductive material around the major surface of a vehicle window and may be adhered to the window by an attachment mechanism 64 via a clamping action, adhesive or other method of fixation (col. 3, lines 56-67; col. 7, lines 31-42). Since both Lange and Jessup discloses systems that detect a fracture or crack within a lens/glass by use of a torn or broken conductor, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of an attachment means, as disclosed by Jessup, with the system of Lange, that comprises a decal disposed on the surface of the lens to form a retrofitted device that can be applied at anytime to any location after manufacture of the lens.

In reference to claims 11, 23, 35, although Lange does not disclose the claimed system for transmitting a signal to a remote location, representative of a state of continuity of the conductor, he does disclose a monitoring system including an analyzing apparatus A for determining whether a crack, or a break of the light-transmissive shield B has taken place within a motor vehicle headlight (col. 3, lines 3-48). Jessup discloses a system that detects breakage of a vehicle's window by a rupture detector 10. Upon detecting that a rupture has taken place, an alarm mechanism 32 initiates an alarm (col. 5, lines 10-55); col. 6, lines 44-58). Since Lange

Art Unit: 2632

discloses a system that detects a break in the lens of a vehicle's headlamp, it would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teaching of notifying the driver of the rupture, as disclosed by Jessup, to ensure that the driver is aware of the ruptured or broken lens and can replace the lens.

6. The prior art of record and not relied upon is considered pertinent to the applicant's disclosure as follows. Schave (US Pat. 4,808,799), Greenwood (US Pat. 5,712,620), Noda et al. (US Pat. 5,824,994), Grabowski et al. (US Pat. 6,305,602 B1) and Merndorf et al. (US Pat. 6,563,086 B1), which disclose light monitoring systems.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957. The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2632

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D.W.G.

September 26, 2005

Davetta W. Goins
Primary Examiner
Art Unit 2632